

REMARKS

The Office Action dated December 8, 2009 has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto.

Claims 1-5 are pending in this application. Claim 4 has been withdrawn from consideration by the Examiner because it was directed to non-elected subject matter. Claim 2 has been amended. Thus, Claims 1-5 are pending in this application. Applicants submit that no new matter is added. Applicants respectfully request reconsideration and withdrawal of all rejections.

Rejection Under 35 U.S.C. § 112

Claim 2 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Office Action stated that “the longitudinal axis” limitation in Claim 2 lacks an antecedent basis.

Applicants respectfully submit that amended Claim 2 corrects any potential indefiniteness rejection. Accordingly, Applicants respectfully request withdrawal of the rejection.

Entry of Response Proper

Entry of this Amendment is proper under 37 C.F.R. § 1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issues requiring further search and/or consideration on the part of the Examiner as the Amendment merely clarifies the claimed features of the invention; (c) satisfy a requirement of form asserted in the

previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The Amendment is necessary and was not presented earlier because it is made in response to objections raised in the Final Rejection. Entry of the Amendment is thus respectfully requested.

Claim Rejections Under 35 U.S.C. §§ 102, 103

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Shishido (WO 03/027521, hereinafter “Shishido”); Claims 2 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Shishido in view of Fujinaka (U.S. Patent Application Publication No. 2003/0113045, hereinafter “Fujinaka”); and Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Shishido in view of Obara (U.S. Patent Application Publication No. 2003/0202722, hereinafter “Obara”). Applicants respectfully traverse the rejections for at least the following reason(s).

Claim 1 teaches “A fluid bearing device comprising: a housing; a bearing sleeve disposed inside the housing; a shaft member inserted along an inner peripheral surface of the bearing sleeve; and a radial bearing portion which supports the shaft member in a non-contact manner in a radial direction via a lubricating oil film that is generated within a radial bearing gap between the inner peripheral surface of the bearing sleeve and an outer peripheral surface of the shaft member, wherein the housing is formed by injection molding of a resin material, and comprises a cylindrical side portion and a seal portion which forms a continuous integrated unit with the side portion and extends radially inward from one end of the side portion, the seal portion comprises an inner peripheral surface which forms a sealing space with an opposing outer peripheral surface of the

shaft member, an outside surface which is positioned adjacent to the inner peripheral surface, and an outer peripheral edge of the outside surface comprises a machined surface formed by machining to remove a resin gate portion, and the outside surface of the seal portion is a molded surface except for the machined surface." (emphasis added).

Applicants submit that it is well-known in the art that a skin layer is generally formed on the molded surface of resin-molded products. See, e.g., Reference Figs. 1-2 (depicting skin layer) attached hereto. This skin layer is a very thin layer containing high-density resin that is formed by the rapid cooling of a surface layer of the resin when it comes into contact with the molding die. See Specification at 20:19-21 (discussing the cooling process and usage of the molding die). The skin layer contains a negligible amount of filler. See *id.* at 10:1-7 (discussing the use of fillers); and attached Reference Figs. 1-2 (depicting filler). Any filler contained in the skin layer does not stand out from the surface of the skin layer. As shown in Reference Fig. 1, when the housing 7 is formed by injection molding, the whole surface of the housing, including the outer peripheral edge of the outer surface 7a2, is covered with the skin layer.

When the machining taught in Claim 1 is performed on the surface of the molded product, the skin layer is removed. See Reference Fig. 2 (depicting a machined surface without a skin layer). Because the molded housing 7 no longer has a skin layer after machining, some fillers will stand out from the machined surface. See *id.* The presence of fillers on one outer surface 7a2, compared to outer surfaces that have not been machined, creates a difference in surface states. As discussed in the Specification, "the oil repellency of an oil repellent is significantly affected by the surface

state of the base material to which it is applied, and the oil repellency on a mechanically processed resin surface is inferior to that observed on a molded surface.” Specification at 6:9-13.

As demonstrated above, there is a structural difference between molded surfaces that contain a skin layer and machined surfaces that do not contain a skin layer. The machined surface or molded surfaces are not methods, but structural features of the final product. The structural feature of the outer peripheral edge of the outside surface of the seal portion being a machined surface, which is recited in Claim 1, is not disclosed, taught, or suggested by Shishido, Fujinaka, or Obara.

As such, Applicants respectfully submit Claim 1 is not anticipated or rendered obvious by the cited art. Claims 2, 3, and 5 depend from independent Claim 1. Accordingly, these dependent claims should be deemed allowable for the same reasons Claim 1 is allowable, as well as for the additional subject matter recited therein.

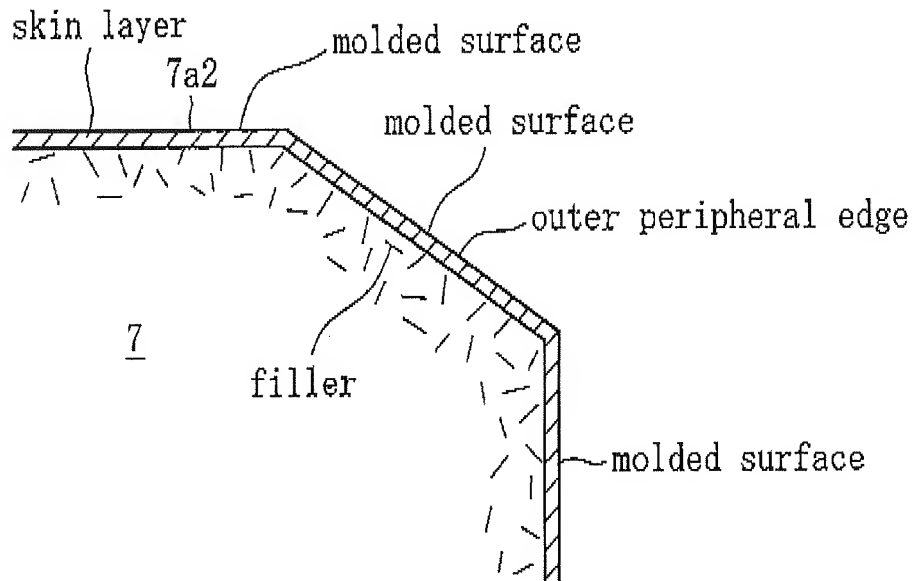
Withdrawal of the rejection is respectfully requested.

Double Patenting

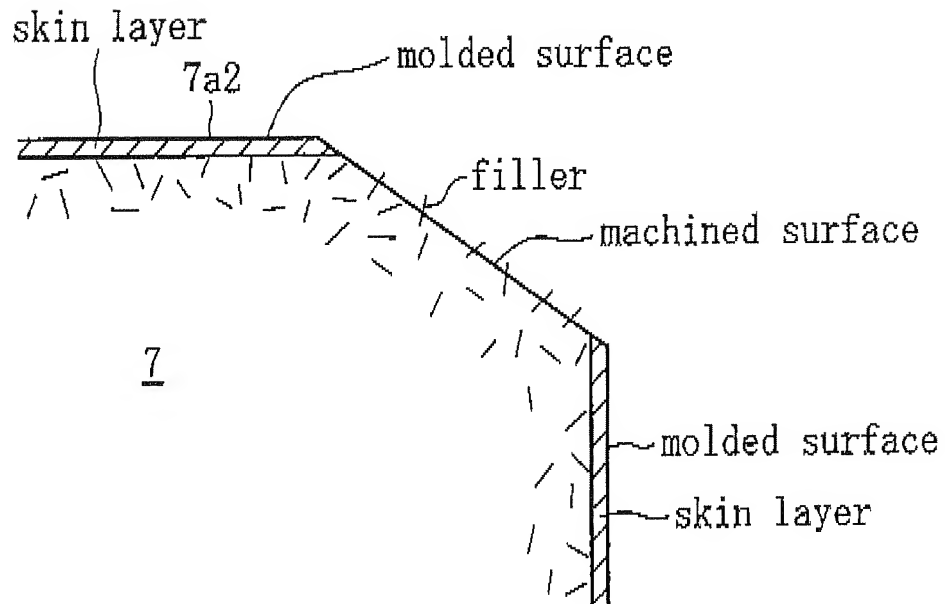
Claims 1-3 are provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 19-21 of copending Application No. 10/548,170. Applicants respectfully note that claims 19-22 were canceled from Application No. 10/548,170, thereby rendering the rejection moot.

For at least the above reason, Applicants respectfully request withdrawal of the provisional rejection.

Reference Fig. 1



Reference Fig. 2



CONCLUSION

Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

In the event that this paper is not being timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account Number 01-2300, referencing Docket Number 100725-00176.

Respectfully submitted,



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